

MAY 03 2004

**TRANSMITTAL  
FORM**

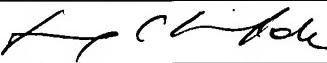
(to be used for all correspondence after initial filing)

		Application Number	10/759,741
		Filing Date	January 15, 2004
		First Named Inventor	McMillan, William A.
		Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission	6	Attorney Docket Number	020048-003121US

**ENCLOSURES (Check all that apply)**

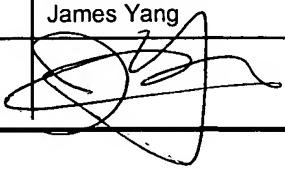
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard, PTO/SB/08A, 08B
<input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP Chun-Pok Leung	Reg. No. 41,405
Signature		
Date	April 29, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	James Yang
Signature	
	Date April 29, 2004



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**PATENT**  
Attorney Docket No.: 020048-003121US

On

*APRIL 29, 2004*

TOWNSEND and TOWNSEND and CREW LLP

By:

*[Handwritten Signature]*  
James Yang

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Chang, et al.

Application No.: 10/759,741

Filed: January 15, 2004

For: APPARATUS AND METHOD FOR  
CELL DISRUPTION

Examiner: To Be Assigned

Art Unit: To Be Assigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/584,327, filed May 30, 2000 (Attorney Docket No. 020048-003120US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Chun-Pok Leung  
Reg. No. 41,405

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60202887 v1



Substitute for form 1449A/PTO				<i>Complete if Known</i>	
				Application Number	10/759,741
				Filing Date	January 15, 2004
				First Named Inventor	McMillan, William A.
				Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	1	of	2	Attorney Docket Number	020048-003121US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
0001	US-4,983,523		01-08-1991	Li et al.	
0002	US-5,374,522		12-20-1994	Murphy et al.	
0003	US-5,652,141		07-29-1997	Henco et al.	
0004	US-5,856,174		01-05-1999	Lipshutz et al.	
0005	US-5,874,046		02-23-1999	Megerle	
0006	US-6,100,084		08-08-2000	Miles et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	
0007	WO	98/38487	A2	09-03-1998	
0008	WO	99/33559	A1	07-08-1999	
0009	EP	0 337 690	A1	10-18-1989	
0010	EP	0 271 448	A2	12-08-1987	
0011	GB	938 163	A2	10-02-1963	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/759,741
				Filing Date	January 15, 2004
				First Named Inventor	McMillan, William A.
				Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	2	of	2	Attorney Docket Number	020048-003121US

<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	0012	Sanz et al., (1985). "Effect of Ultrasonic Waves on the Heat Resistance of <i>Bacillus Stearothermophilus</i> Spores", Fundamental and Applied Aspects of Bacterial Spores, Academic Press, Inc. pgs 251-259.		
	0013	Buck et al., (1992). "Rapid, Simple Method for Treating Clinical Specimens Containing <i>Mycobacterium tuberculosis</i> To Remove DNA for Polymerase Chain Reaction", <i>J. Clin. Microbiol.</i> 30:1331-1334.		

Examiner Signature	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.